

House Amendment 1353

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1 1 Amend Senate File 325, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. By striking page 1, line 1, through page 2,
1 4 line 25, and inserting the following:
1 5 <Section 1. NEW SECTION. 602.8102A NOTICES
1 6 RETURNED FOR UNKNOWN ADDRESS == RESENDING.
1 7 Notwithstanding any other provision of the Code to
1 8 the contrary, and subject to rules prescribed by the
1 9 supreme court, if the clerk of the district court
1 10 sends a mailing or notice to a person or party and the
1 11 mailing or notice is returned by the postal service to
1 12 the clerk of the district court as undeliverable, the
1 13 clerk is not required to send a repeat or subsequent
1 14 mailing or notice unless the clerk receives an updated
1 15 mailing address.
1 16 Sec. 2. Section 602.8105, subsection 2, Code 2005,
1 17 is amended to read as follows:
1 18 2. The clerk of the district court shall collect
1 19 the following fees for miscellaneous services:
1 20 a. For filing, entering, and endorsing a
1 21 mechanic's lien, twenty dollars, and if a suit is
1 22 brought, the fee is taxable as other costs in the
1 23 action.
1 24 b. For filing and entering an agricultural supply
1 25 dealer's lien and any other statutory lien, twenty
1 26 dollars.
1 27 c. For a certificate and seal, ten dollars.
1 28 However, there shall be no charge for a certificate
1 29 and seal to an application to procure a pension,
1 30 bounty, or back pay for a member of the armed services
1 31 or other person.
1 32 d. For certifying a change in title of real
1 33 estate, twenty dollars.
1 34 e. For filing a praecipe to issue execution under
1 35 chapter 626, twenty-five dollars.
1 36 f. For filing a praecipe to issue execution under
1 37 chapter 654, fifty dollars.
1 38 g. For filing a confession of judgment under
1 39 chapter 676, fifty dollars if the judgment is five
1 40 thousand dollars or less, and one hundred dollars if
1 41 the judgment exceeds five thousand dollars.
1 42 ~~e-~~ h. Other fees provided by law.
1 43 Sec. 3. Section 901.4, Code 2005, is amended to
1 44 read as follows:
1 45 901.4 PRESENTENCE INVESTIGATION REPORT
1 46 CONFIDENTIAL == DISTRIBUTION.
1 47 The presentence investigation report is
1 48 confidential and the court shall provide safeguards to
1 49 ensure its confidentiality, including but not limited
1 50 to sealing the report, which may be opened only by
2 1 further court order. At least three days prior to the
2 2 date set for sentencing, the court shall ~~serve send a~~
2 3 copy of all of the presentence investigation report
2 4 upon by ordinary or electronic mail, to the
2 5 defendant's attorney and the attorney for the state,
2 6 and the report shall remain confidential except upon
2 7 court order. However, the court may conceal the
2 8 identity of the person who provided confidential
2 9 information. The report of a medical examination or
2 10 psychological or psychiatric evaluation shall be made
2 11 available to the attorney for the state and to the
2 12 defendant upon request. The reports are part of the
2 13 record but shall be sealed and opened only on order of
2 14 the court. If the defendant is committed to the
2 15 custody of the Iowa department of corrections and is
2 16 not a class "A" felon, a copy of the presentence
2 17 investigation report shall be forwarded by ordinary or
2 18 electronic mail to the director with the order of
2 19 commitment by the clerk of the district court and to
2 20 the board of parole at the time of commitment.
2 21 Pursuant to section 904.602, the presentence
2 22 investigation report may also be released by ordinary
2 23 or electronic mail by the department of corrections or
2 24 a judicial district department of correctional

2 25 services to another jurisdiction for the purpose of
2 26 providing interstate probation and parole compact or
2 27 interstate compact for adult offender supervision
2 28 services or evaluations, or to a substance abuse or
2 29 mental health services provider when referring a
2 30 defendant for services. The defendant or the
2 31 defendant's attorney may file with the presentence
2 32 investigation report, a denial or refutation of the
2 33 allegations, or both, contained in the report. The
2 34 denial or refutation shall be included in the report.
2 35 If the person is sentenced for an offense which
2 36 requires registration under chapter 692A, the court
2 37 shall release the report by ordinary or electronic
2 38 mail to the department.

2 39 Sec. 4. STUDY OF COURT RULE RELATED TO TRIBAL
2 40 COURTS. The general assembly acknowledges that
2 41 contact and interaction between the Iowa court system
2 42 and federally recognized tribal courts are ever
2 43 increasing and the general assembly urges the Iowa
2 44 supreme court to consider developing and prescribing
2 45 rules that recognize the tribal court system and
2 46 enforce tribal court orders, judgments, and decrees.>
2 47 #2. Title page, by striking lines 2 and 3 and
2 48 inserting the following: <branch, including sending
2 49 notices, and providing for fees.>

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